

REMARKS**Status of the Claims**

Claims 1 – 14 and 16 - 22 are pending in the application. Claims 1, 3, 4 and 22 have been amended.

Claim 3 stands rejected under 35 U.S.C. 112, second paragraph as being indefinite. Claims 1-14 and 22 stand rejected under 35 U.S.C. 102(b) over Reeder (US 4,682,513).

Claims 16 – 21 are allowed.

Claim 3 is Patentable under 35 U.S.C. 112

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner indicated that it is unclear if the projection of claim 3 is the same as the projection of claim 1. Applicant has amended claim 3 to clarify that the recited “projection” is a “retaining member projection.”

Additionally, claims 4 and 22 have been amended to clarify the usage of the term “projection.”

Applicant respectfully requests withdrawal of the 35 U.S.C. 112 rejection.

Claims 1 - 14 and 22 are Patentable under 35 U.S.C. 102

Claims 1 – 14 and 22 are rejected under 35 U.S.C. 102(b) over Reeder (US 4,682,513). Claims 1 and 11 are independent claims. The rejection is respectfully traversed.

Claim 1 recites, among other things:

a first arm extending from the elongate body to a distal end in a lateral direction in an unflexed configuration and including a first projection from a first surface of the first arm; and

a first tab member extending in a generally longitudinal direction from the first arm to a distal end when the first arm is in the unflexed

configuration, wherein moving the distal end of the first tab member towards the longitudinal axis of the bore flexes the first arm.

Reeder discloses a plurality of connector tabs 46 that are flexibly hinged 48 to flange 44. Connector tab 46 extends at right angles from hinge 48. Hinge 48 can be flexed away from the central axis of repair component 12 to accommodate placement of retaining member 40 (see dashed lines in FIG. 2). In its unflexed configuration, hinge 48 extends parallel to the central axis of repair component 12 such that connector tab 46 may extend over and retain retaining member 40.

Reeder fails to disclose a first arm extending from the elongate body to a distal end in a lateral direction in an unflexed configuration. Item 48 of Reeder (which the Examiner has indicated corresponds to a first arm) extends, in its *unflexed* configuration, in a *longitudinal* direction from flange 44. Thus, Reeder fails to disclose each and every element of claim 1.

Claim 11 recites, among other things:

a first arm unitary with and extending from the elongate body in a plane, having a proximal end and a distal end and comprising a first projection extending from a surface of the first arm in a direction offset from the plane of the first arm, and

a second arm unitary with and extending from the elongate body in a plane, having a proximal end and a distal end and comprising a second projection extending from a surface of the second arm in a direction offset from the plane of the second arm,

wherein the first arm comprises a first tab member extending from the distal end of the first arm in a direction offset from the plane of the first arm and wherein the second arm comprises a second tab member extending from the distal end of the second arm in a direction offset from the plane of the second arm, wherein the first tab member and the second tab member each facilitate flexure of the first arm and the second arm, respectively, when the first tab member and the second tab member are moved toward the longitudinal axis of the bore.

Reeder fails to disclose a first projection extending from a surface of the first arm in a direction offset from the plane of the second arm and a first tab member extending from the distal end of the first arm in a direction offset from the plane of the first arm. Rather, the outer end of Reeder's item 48 (identified by the Examiner as corresponding to the projection)

extends in a direction *parallel* to the plane of the second arm. Thus, Reeder fails to disclose each and every element of claim 11.


As Reeder fails to disclose each and every element of claims 1 and 11, Reeder fails to anticipate claims 1 and 11. Claims 2 – 14 and 22 depend from either claim 1 or claim 11, directly or indirectly, and contain additional recitations thereto. For at least the above reasons, Reeder also fails to anticipate claims 2 – 14 and 22.

Conclusion

Applicant respectfully requests entry of the above amendments. The Commissioner is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0733. All claims pending in the application are now deemed to be in condition for allowance, which action is earnestly requested.

Respectfully submitted,

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